

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 4 NUMBER 147

Washington, Wednesday, August 2, 1939

Rules, Regulations, Orders

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

AGRICULTURAL MARKETING SERVICE

NOTICE UNDER PACKERS AND STOCKYARDS ACT¹

AUGUST 1, 1939.

To E. F. VOLZKE,
*Doing business as Broken Bow
Auction Yards, Broken Bow, Nebr.*

Notice is hereby given that after inquiry, as provided by Section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C., Sec. 202 (b)), it has been ascertained by me that the stockyard known as the Broken Bow Auction Yards at Broken Bow, State of Nebraska, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U.S.C., Secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 39-2841; Filed, August 1, 1939; 12:55 p. m.]

NOTICE UNDER PACKERS AND STOCKYARDS ACT¹

AUGUST 1, 1939.

To W. H. BISHOP,
*Doing business as W. H. Bishop
Horse & Mule Auction, Anna, Ill.*

Notice is hereby given that after inquiry, as provided by Section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C., Sec. 202 (b)), it has been ascertained by me that the stockyard known as the W. H. Bishop Horse &

¹ Modifies list posted stockyards 9 CFR 204.1.

Mule Auction at Anna, State of Illinois is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U.S.C., Secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 39-2842; Filed, August 1, 1939; 12:55 p. m.]

TITLE 14—CIVIL AVIATION CIVIL AERONAUTICS AUTHORITY

[Amendment 20, Civil Air Regulations]

POSITION LIGHTS

Correction

Table III, appearing on Page 3453 of the FEDERAL REGISTER for Saturday, July 29, 1939 (F.R. Doc. 39-2798; filed, July 28, 1939; 12:41 p. m.) should read as follows:

TABLE III.—Minimum Permissible Intensities in the Horizontal Plane Through the Forward Axis of the Unit

At angles from forward axis not exceeding:	Intensity
80 degrees.....	5 candles.
40 degrees.....	10 candles.
30 degrees.....	20 candles.
20 degrees.....	30 candles.
10 degrees.....	40 candles.

TITLE 16—COMMERCIAL PRACTICES

FEDERAL TRADE COMMISSION

[Docket No. 3346]

IN THE MATTER OF MME. ADELE, ETC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of products:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* Representing, in connection with offer, etc., in commerce, of respondent's "Wonder Peel Paste" cosmetic, or other similar prepa-

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Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 10 cents each; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

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ration, that said product will withdraw toxins from the skin, accelerate chemical changes in the living skin cells, or supply materials to the skin to repair waste tissues, or will prevent or remove, or have any beneficial effect in aiding the removal of, any blemishes or other conditions of the skin which are due to or persist because of a systemic or metabolic disorder or condition, or that said product has any beneficial effect on the metabolism or nutrition of the tissues, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order,

Mme. Adele, etc., Docket 3346, July 21, 1939]

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product.* § 3.6 (x) *Advertising falsely or misleadingly—Results.* Representing, in connection with offer, etc., in commerce, of respondent's "Wonder Peel Paste" cosmetic, or other similar preparation, that the use of said product will prevent or remove freckles, liver spots or wrinkles, or will prevent pimples, blackheads, puffs, scars, pits, acne or crepey neck, or that it has any beneficial effect in aiding in the removal of such blemishes or conditions, unless such representation is limited to those conditions which are of a surface character only, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Mme. Adele, etc., Docket 3346, July 21, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of July, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

IN THE MATTER OF ADELE MILLAR, AN INDIVIDUAL DOING BUSINESS UNDER THE TRADE NAMES MME. ADELE AND CHEZ ADELE

ORDER TO CEASE AND DESIST

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before Charles P. Vicini, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, brief filed by counsel for the Commission (respondent not having filed brief and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent Adele Millar, now known as Adele Millar Prentiss, individually and trading as "Mme. Adele" and "Chez Adele," or under any other name or names, her representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a cosmetic preparation now designated "Wonder Peel Paste," or any other preparation containing substantially similar ingredients or possessing substantially similar therapeutic properties, whether sold under the name "Wonder Peel Paste" or under any other name or names, in commerce, as commerce is defined in the Federal Trade

Commission Act, do forthwith cease and desist from:

1. Representing that said preparation will withdraw toxins from the skin, accelerate chemical changes in the living skin cells, or supply materials to the skin to repair waste tissues;
2. Representing that the use of said preparation will prevent or remove freckles, liver spots or wrinkles;
3. Representing that said preparation will prevent or remove or have any beneficial effect in aiding in the removal of, any blemishes or other conditions of the skin which are due to or persist because of a systemic or metabolic disorder or condition;
4. Representing that said preparation will prevent pimples, blackheads, puffs, scars, pits, acne or crepey neck;
5. Representing that said preparation has any beneficial effect in aiding in the removal of pimples, blackheads, puffs, scars, pits, acne or crepey neck, unless such representation is limited to those conditions which are of a surface character only.
6. Representing that said preparation has any beneficial effect on the metabolism or nutrition of the tissues.

It is further ordered, That the respondent shall, within sixty days after service upon her of this order, file with the Commission a report in writing setting forth in detail the manner and form in which she had complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-2833: Filed, August 1, 1939; 10:25 a. m.]

TITLE 19—CUSTOMS DUTIES

BUREAU OF CUSTOMS

(T. D. 49922)

CUSTOMS REGULATIONS OF 1937, AMENDED¹

To Collectors of Customs and Others Concerned:

The Customs Regulations of 1937² are hereby amended as follows:

Paragraph (b) of article 329 [Sec. 6.41] is amended to read as follows:

"(b) [Sec. 6.41] Withdrawals for consumption of merchandise in bonded warehouse shall be filed in triplicate on customs Form 7505. No new declaration of the consignee or agent is required. The withdrawal form shall show the number of the bond, the marks and numbers of the packages withdrawn, the vessel and date of importation, the description, quantity, rates of duty, separate value of each package, and total dutiable value of the merchandise, and shall be

¹ This document affects 19 CFR 6.41, 10.53, 19.2, and 20.8 (c).

² 2 F.R. 1444, 1562, 1643.

signed by the person making the withdrawal: *Provided, however*, That with respect to merchandise of a class consisting of packages uniform in kind, quantity, value and duty, the number of each package to be withdrawn need not be shown on the withdrawal form if the lowest and the highest number in the number series of such class are shown." (Sec. 557, 46 Stat. 744, Secs. 2, 22, 23, 52 Stat. 1077, 1087, 1088; 19 U.S.C. 1557 and Sup. IV. Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

Paragraph (h) of article 691, added by T. D. 49469, [Sec. 10.53 (c)] is amended to read as follows:

"(h) [Sec. 10.53 (c)] Under regulations approved by the President on February 14, 1938, as amended by regulations approved by the President on November 26, 1938, the printing, publishing, and importation, and the making and importation of the necessary plates for such printing and publishing, for philatelic purposes in articles, books, journals, newspapers, and albums (including the circulars and advertising literature of legitimate dealers in stamps and publishers of and dealers in philatelic and historical articles, books, journals, and albums) of black and white illustrations of canceled and uncanceled United States postage stamps (including postage stamps impressed upon stamped envelopes and postal cards) are permitted, provided that such illustrations are of a size less than three-quarters or more than one and one-half, in linear dimension, of each part of such stamp." (Sec. 2 (b), 52 Stat. 7; 18 U.S.C., Sup. IV, 350)

Paragraph (b) of article 1028 [Sec. 19.2 (b)] is amended by adding the following sentence:

"If the Commissioner of Customs is satisfied that at a given port a particular class or classes of merchandise may, without danger to the revenue or the proper conduct of customs business, be carried otherwise than by a contract or licensed cartman to the place outside the appraiser's stores designated for examination, he may by specific instructions authorize such other carriage."

Paragraph (c) of article 1044 of the Customs Regulations of 1937 [Sec. 20.8 (c)] is hereby amended by deleting "and the date of clearance of the exporting vessel or conveyance have" in the second sentence and substituting therefor "has." (Sec. 313, 46 Stat. 693, Secs. 402, 403, 49 Stat. 1960; 19 U.S.C. 1313 and Sup. IV. Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

[SEAL] JAMES H. MOYLE,
Commissioner of Customs.

Approved, July 28, 1939.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 39-2840; Filed, August 1, 1939; 11:30 a. m.]

TITLE 24—HOUSING CREDIT FEDERAL HOUSING ADMINISTRATION

AMENDMENT TO ADMINISTRATIVE RULES FOR MUTUAL MORTGAGE INSURANCE

The Administrative Rules of the Federal Housing Administrator for Mutual Mortgage Insurance under Section 203 of the National Housing Act, revised July 1, 1939,¹ (Part 521 Code of Federal Regulations) are hereby amended as follows:

Subsection 4 of Section IV of said Administrative Rules (Sec. 521.20) is amended to read as follows:

"4. The mortgage may bear interest at such rate as may be agreed upon between the mortgagee and mortgagor, but in no case shall such interest rate be in excess of four and one-half per centum (4½%) per annum. Interest shall be payable in monthly installments on the principal then outstanding."

This amendment is effective as to all mortgages on which a commitment to insure is issued on or after August 1, 1939.

Issued at Washington, D. C., this 29th day of July 1939.

[SEAL] STEWART McDONALD,
Federal Housing Administrator.

By MILES L. COLEMAN,
Acting Administrator.

[F. R. Doc. 39-2825; Filed, July 31, 1939; 3:41 p. m.]

AMENDMENT TO ADMINISTRATIVE RULES FOR MULTIFAMILY AND GROUP HOUSING INSURANCE

The Administrative Rules of the Federal Housing Administrator under Section 207 of the National Housing Act, revised June 30, 1939,² (Part 532 Code of Federal Regulations) are hereby amended as follows:

Subsection 5 of Section II of said Administrative Rules (Sec. 532.7) is amended to read as follows:

"5. The mortgage shall bear interest at such rate, not exceeding four per centum (4%) per annum, as may be agreed upon between the mortgagor and the mortgagee. All charges made in connection with the mortgage transaction shall be subject to the approval of the Administrator."

This amendment is effective as to all mortgages on which a commitment to insure is issued on or after August 1, 1939.

Issued at Washington, D. C., this 29th day of July 1939.

[SEAL] STEWART McDONALD,
Federal Housing Administrator.

By MILES L. COLEMAN,
Acting Administrator.

[F. R. Doc. 39-2826; Filed, July 31, 1939; 3:41 p. m.]

¹ 4 F.R. 2763 DI.
² 4 F.R. 3489 DI.

TITLE 33—NAVIGATION AND NAVI- GABLE WATERS

WAR DEPARTMENT

CHAPTER II—RULES RELATING TO NAVIGABLE WATERS

PART 202—ANCHORAGE REGULATIONS

§ 202.82 *Isthmus Cove, Santa Catalina Island, Calif.*¹ By authority of the provisions of Section 7 of the River and Harbor Act approved March 4, 1915, the following anchorage grounds for vessels in Isthmus Cove, Santa Catalina Island, California, and rules and regulations pertaining thereto, are hereby defined and established:

The Anchorage Grounds

(a) (1) *General anchorage.* All of the navigable waters of Isthmus Cove shoreward of a line connecting the promontories known as Lion Head and Blue Cavern Point, except the Zone of Restricted Anchorage.

(2) *Zone of restricted anchorage.* An area, 300 feet wide, extending from shore 1,200 feet seaward of the outer end of Wilmington Transportation Company Wharf, centered on a line 20 feet westerly of and parallel to the centerline of said wharf.

The Rules and Regulations

NOTE: The officer of the United States Coast Guard charged with special duties in connection with the enforcement of these regulations under the direction of the Secretary of the Treasury is designated "Captain of the Port." Complaints arising under these regulations should be addressed to that officer, Room 414, Federal Building, Los Angeles, California.

(b) (1) The General Anchorage shall be available for anchorage of all types of craft. Temporary floats or buoys for marking anchors in place will be permitted in this area, provided that the upper half of any such float or buoy is painted white, to improve visibility at night.

(2) Commercial vessels, of 15 feet draft or over, may anchor in the Zone of Restricted Anchorage during the hours between sunrise and sunset. The use of this zone for anchorage is forbidden to all other craft at all times.

(3) The instructions of the Captain of the Port requiring vessels to anchor bow and stern, or with two bow anchors, or requiring shifting the anchorage of any vessel within the anchorage grounds for the common safety or convenience; or for otherwise enforcing these rules and regulations, shall be promptly complied with by owners, masters, and persons in charge of vessels.

(4) Nothing in these rules and regulations shall be construed as relieving the owner or person in charge of any vessel or plant from the penalties of the law for obstructing navigation or for

¹ These regulations are supplementary to Title 33, Chapter II, Part 202, of the Code of Federal Regulations.

obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law. (Sec. 7, River and Harbor Act, Mar. 4, 1915, 38 Stat. 1053; 33 U.S.C. 471) [Regs., July 21, 1939 (E.D. 7175 (Isthmus Cove, Calif.)-1/5)]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 39-2828; Filed, August 1, 1939;
9:37 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

VETERANS' ADMINISTRATION

REVISION OF REGULATIONS

BURIAL AND FUNERAL EXPENSES AND TRANSPORTATION OF BODIES OF VETERANS

Definition of "Veteran of any War"

§ 2.2694 (A) *Persons included.* The term "veteran of any war" for the purpose of adjudicating claims for direct payment of or reimbursement for burial, funeral and transportation expenses incurred in behalf of deceased veterans where death was on or subsequent to March 20, 1933, will include: (1) Civil War, any honorably discharged member of the active military or naval service of the United States who served during the Civil War subsequent to April 11, 1861, and prior to May 27, 1865, including those persons who served as members of State organizations participating in the Civil War for whose services the State has been reimbursed by the United States Government. Nothing herein shall be construed to exclude from the definition any person who was receiving pension as a Civil War veteran under the Civil War service pension laws or who was not entitled to pension under such Civil War pension service laws solely because of length of service or as to whom any special act of Congress has been enacted which provides that such person shall be considered as having rendered military service during the Civil War; (2) Indian Wars, any veteran of any Indian War, as formerly contemplated by the provisions of Section 201 (1) of the World War Veterans Act, 1924, as amended, and regulations, precedents, and instructions issued pursuant thereto, or a person who at time of his death was receiving a pension in accordance with the provisions of the laws governing the payment of a pension as a veteran of an Indian War; (3) Spanish-American War, any honorably discharged officer or enlisted man who was employed in the active military or naval service of the United States on or after April 21, 1898 and before August 13, 1898, including those women who served as army nurses under contract during this period and including any honorably

discharged person who died on or after March 19, 1935, and who served in the military or naval service of the United States between August 13, 1898 and July 4, 1902, both dates inclusive, who left the continental United States under orders for military or naval service in Guam, Cuba, or Puerto Rico, between such dates inclusive; where death occurred on or after May 3, 1939, any honorably discharged officer or enlisted man who was employed in the active military or naval service of the United States on or after April 21, 1898 and before April 12, 1899, including those women who served as army nurses under contract and persons who served overseas as contract surgeons of the army during this period; (4) Philippine Insurrection, any honorably discharged officer or enlisted man employed in the active military or naval service of the United States including those women who served as army nurses under contracts, who actually participated in the Philippine Insurrection on or after August 13, 1898 and before July 5, 1902, provided, however, if the person was serving in the United States military forces engaged in the hostilities in the Moro Province the ending date shall be July 15, 1903; where death occurred on or after May 3, 1939, any honorably discharged officer or enlisted man who was employed in the active military or naval service of the United States on or after April 12, 1899 and before July 5, 1902 (or who served in the Moro Province, Philippine Islands, before July 16, 1903) including those women who served as army nurses under contract or who served in the nurse corps (female) and persons who served overseas as contract surgeons of the army during this period; (5) Boxer Rebellion, any honorably discharged officer or enlisted man, including those women who served as army nurses under contracts, employed in actual participation in the Boxer Rebellion on or after June 20, 1900 and before May 13, 1901; (6) World War, any honorably discharged officer, enlisted man, member of the Army Nurse Corps (female), Navy Nurse Corps (female), who was employed in the active military or naval service of the United States on or after April 6, 1917 and before November 12, 1918, provided, however, that if the person was serving in the United States military forces in Russia the ending date will be extended to April 1, 1920 (the provisions of Section 5, Public No. 304, 75th Congress, are not applicable to burial claims); (7) any enlisted man or officer of the Army, Navy, or Marine Corps in retirement status at the date of death if shown to have served honorably during the period of any war. Where death occurs on or after March 28, 1934, (except as provided in (B), below), and the other requirements of this paragraph have been met, an honorable discharge will not be required if the veteran was

in receipt of pension, compensation, or emergency officers retirement pay at the time of his death.

(B) *Persons not included.* Except as provided in Sec. 2.2696 (D) a discharged or rejected draftee; a member of the national guard who reported to camp in answer to the President's call, for World War service, but who when medically examined was not finally accepted for active military service; or an alien who does not come within the purview of Sec. 2.1001 (J), is not a "veteran of any war" within the meaning of that term as defined in subparagraph (A) hereof, even though such person may have been in receipt of compensation or pension. (May 3, 1939.) (Public No. 62, 76th Congress.)

DEATH OCCURRING WHILE TRAVELING UNDER PRIOR AUTHORIZATION OR IN A VETERANS ADMINISTRATION FACILITY

§ 2.2696 (d) canceled May 3, 1939, and paragraphs (e), (f) and (g) re-lettered respectively (d) (e) and (f).

[SEAL]

FRANK T. HINES,
Administrator.

[F. R. Doc. 39-2821; Filed, July 31, 1939;
3:20 p. m.]

REVISION OF REGULATIONS

ALLOWABLE EXPENSES OF BURIAL, FUNERAL AND TRANSPORTATION

§ 2.2702 (A) (1) For the purpose of regulations governing the payment of burial, funeral and transportation expenses, the following items and articles will be considered as allowable: Embalming (Taharah in Jewish burials), shaving, washing and dressing, casket or coffin, or in lieu thereof materials and labor used in the construction of casket or coffin; steel or concrete vault (if a vault is used as a shipping case and also for burial, an allowance not exceeding \$25.00 may be applied thereon as part of transportation expenses in those cases where transportation charges are payable, exclusive of the \$100 burial allowance as provided in Sec. 2.2696, and any balance on such vault may be included in the burial allowance of \$75.00 or \$100 whichever applies), box not to exceed \$25.00, removal of box to cemetery, undertaker's fees for personal or professional services, chapel, hearse, limousines or other conveyances, rental vault, digging of grave including materials used in walling or lining grave, single grave space (except where burial is in a plot owned by a member of the family of the deceased) perpetual care if compulsory under deed to lot or site, grave marker or monument, lowering device, tent, grave equipment, blanket, slumber robe, veil, tahlith, burial clothing not to exceed \$50.00, chairs, cremation, candles, candelabra, crucifix, crepe, door badge, necessary fee for minister, music, or other religious services not to exceed \$15.00; necessary fees for watchers not to

exceed \$10.00 for each or a total of \$20.00; necessary fees for pallbearers not to exceed \$2.00 each or a total of \$12.00, fees for firing squads; permits and such other necessary burial and funeral expenses as are reasonable, not to exceed \$75.00 or \$100, whichever applies. The cost of flowers (other than door badge), flower car, obituary notices and state tax will not be allowed. In cases where transportation of remains is a proper charge against the Veterans' Administration exclusive of the \$100 burial allowance as provided in Sec. 2.2696, and the transportation is accomplished by means other than by common carrier, the reasonable cost of such transportation shall be allowed as may be determined by employees authorized to make findings of fact and law in burial claims. In no event will a charge be approved where it is found to be in excess of the charge made the general public for the same item of service.

(2) *Items allowable as part of transportation.* In adjudicating claims where death of a person occurs in a Veterans' Administration facility or while traveling under prior authorization of the Veterans' Administration, either to or from a Veterans' Administration facility or regional office, the following items will be considered as part of transportation expense, the cost of which will be allowed in addition to the statutory allowance of \$100; procuring permit for shipment, outside case for shipment, sealing outside case (tin), sealing outside case (galvanized iron), hearse to common carrier, one removal from common carrier either to home of decedent, or to the undertaking establishment or direct to the place of burial.

(3) *Items not allowable as part of transportation.* Charge made for removal from Veterans Administration facility, even though the facility is outside the corporate limits of the nearest city or town, to a local undertaking parlor (original pick-up) will not be allowed as a part of transportation. In those cases where the remains are transported overland by means other than common carrier the items of transportation enumerated in sub-paragraph (2) hereof will not be allowed in addition to the statutory allowance and the removal charge. (See Sec. 2.2696 (c).) (July 31, 1939.) (48 Stat. 11; 38 U.S.C. 717, 718)

[SEAL]

FRANK T. HINES,
Administrator.[F. R. Doc. 39-2822; Filed, July 31, 1939;
3:20 p. m.]

REVISION OF REGULATIONS

RENEWAL OF FIVE YEAR LEVEL PREMIUM
TERM INSURANCE

§ 3.3170 Pursuant to the provisions of an amendment enacted June 1, 1937, amending section 301 of the World War

Veterans Act, 1924, as amended (U. S. Code, Supp. V. title 38, section 512), all or any part of the insurance, in any multiple of \$500, and not less than \$1,000, on the five year level premium term plan may be renewed without medical examination for a second or third five year period, upon application therefor and payment of the premium at the five year level premium term rate required at the attained age of the insured, before the expiration of the current five year period. The renewal of insurance for a second or third five year period will become effective as of the day following the expiration of the preceding five year period, and the premium for such renewal will be at the five year level premium term rate for the attained age of the applicant on that day: *Provided*, That no insurance may be renewed under the amendment enacted June 1, 1937, to section 301 of the World War Veterans Act, 1924, as amended, by any person who has exercised his optional right to change to another plan of insurance. The renewal of the insurance in accordance with the law and regulations will be evidenced by the following certificate:

UNITED STATES GOVERNMENT LIFE INSURANCE
CERTIFICATE OF RENEWAL

FIVE YEAR LEVEL PREMIUM TERM INSURANCE

Policy Number _____
K-_____ Monthly \$ _____
Age of insured _____ Quarterly \$ _____
Amount of _____ Semi-annual \$ _____
Insurance \$ _____ Annual \$ _____
Name of insured _____

Pursuant to the provisions of the amendment enacted June 1, 1937, to section 301 of the World War Veterans Act 1924, as amended, and in consideration of the payment of the monthly premium at the rate for the attained age of insured in the amount as stated above on the day this certificate becomes effective and on the same day of each month thereafter for a period of sixty months, the insurance under said policy of which this agreement becomes a part, is renewed as five year level premium term insurance for the period beginning _____, 19____, and ending _____, 19____.

The insurance renewed is subject to the conditions, benefits, and privileges contained in the policy except that any nonforfeiture provisions and any table of guaranteed surrender values of the policy shall be null and void from and after the effective date of this certificate. This insurance ceases on the ending date shown above, and no further premium will be payable unless the insurance has been exchanged for some other plan of insurance on or before that date.

Effective as of _____ 19____.

FRANK T. HINES,
Administrator of Veterans Affairs.

Countersigned at Washington, D. C.

Examined and issued _____, 19____.

Registrar.

(50 Stat. 241; 38 U.S.C. 512, Supp. V.)
(June 1, 1937.)

[SEAL]

FRANK T. HINES,
Administrator.[F. R. Doc. 39-2823; Filed, July 31, 1939;
3:20 p. m.]

REVISION OF REGULATIONS

EFFECTIVE DATES OF REDUCTIONS AND DIS-
CONTINUANCES OF DEATH PENSION AND
COMPENSATION

§ 2.2586 Public No. 2, 73d Congress (Act of March 20, 1933) as amended; sections 28 and 31, Title III, Public No. 141, 73d Congress (Act of March 28, 1934) as amended; Public No. 304 and Public No. 514, 75th Congress (Acts of August 16, 1937 and May 13, 1938); and Public No. 484, 73d Congress (Act of June 28, 1934) as amended. Where death pension or compensation has been awarded under the provisions of Public No. 2, 73d Congress or Section 28 or 31, Title III, Public No. 141, 73d Congress or Public No. 304 or Public No. 514, 75th Congress (Acts of August 16, 1937 and May 13, 1938) or Public No. 484, 73d Congress as amended the effective date of reduction or discontinuance of such death pension or compensation shall be in accordance with the facts found, except that:

(1) *Fraud.* Where, subsequent to the approval of an award, fraud is shown to have been committed prior to the approval of such award by the person receiving pension or compensation or with his or her knowledge, the effective date of discontinuance shall be as of the effective date of the award to such person. If the fraud was committed subsequent to the approval of the award the effective date of discontinuance shall be as of the date of commitment of the fraud. (July 31, 1939.)

[SEAL]

FRANK T. HINES,
Administrator.[F. R. Doc. 39-2824; Filed, July 31, 1939;
3:20 p. m.]

TITLE 45—PUBLIC WELFARE

NATIONAL YOUTH
ADMINISTRATION

[Administrative Order No. 2]

PART 402—REGULATIONS RELATING TO THE
PART-TIME EMPLOYMENT OF OUT OF
SCHOOL YOUTH ON PROJECTS OF THE
NATIONAL YOUTH ADMINISTRATION*

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*Sections 1 to 27 inclusive, issued under the authority contained in the Emergency Relief Appropriation Act of 1939, approved June 30, 1939, Pub. Res. No. 24, 76th Congress, 1st Session

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By virtue of and pursuant to the authority vested in the Administrator of the National Youth Administration by the Emergency Relief Appropriation Act of 1939, approved June 30, 1939, the following rules and regulations are prescribed.

DEFINITIONS

§ 402.1 *Projects.* The term "project" as used herein shall mean projects or portions of projects, for the employment and training of out-of-school youth, which are financed in whole or in part from funds appropriated to the National Youth Administration by the Emergency Relief Appropriation Act of 1939.

§ 402.2 *Resident projects.* The term "resident projects," as used herein shall mean projects which involve the maintenance of youth in camps, dormitories or other resident facilities under the supervision of the National Youth Administration. Resident projects are further defined as follows:

(a) Full-time. The term "full-time resident projects," as used herein, shall mean resident projects to which youth are assigned for periods of continuous

residence at such facilities for 30 or more consecutive days.

(b) Part-time. The term "part-time resident projects," as used herein, shall mean resident projects to which youth are assigned for periods of continuous residence at such facilities for less than 30 consecutive days.

§ 402.3 *Project employees.* The term "project employees" as used herein shall mean all persons engaged upon projects and paid by means of a payroll payment from funds authorized for the operation of such projects. Project employees are further defined as follows:

(a) Youth employees. The term "youth employees" as used herein shall mean certified persons between the ages of 18 and 24 years inclusive who are engaged upon a part-time basis on projects and who are paid by means of payroll payments from funds authorized for the operation of such projects.

(b) Supervisory employees. The term "project supervisory employees" as used herein shall mean persons in supervisory positions engaged upon projects who are paid upon a per diem or monthly basis by means of payroll payments from funds authorized for the operation of such projects.

HOURS OF WORK

§ 402.4 *Responsibilities.* The State Youth Administrator shall be responsible for determining the hours of work for project employees in accordance with the provisions hereinafter prescribed.

§ 402.5 *Maximum hours.* Hours of project work for youth employees shall not exceed 8 hours per day, 40 hours per week, and 100 hours per month, except in the case of:

(a) Exemptions by Administrator. Such projects, portions of projects, or areas as the National Youth Administrator, or his authorized representative, may hereafter exempt;

(b) Emergencies. An emergency involving the public welfare or to protect work already done on a project when so authorized by the State Youth Administrator;

(c) Making up lost time. Making up time lost due to conditions which in the judgment of the State Youth Administrator warrant authorizing youth employees to make up lost time; or

(d) Resident projects. Resident projects, to which youth employees shall be assigned upon the basis of a 30-day service status.

§ 402.6 *Related training.* Youth employees may be required to participate in a program of related training, which may be included in their monthly assigned hours, provided that the total assigned hours do not exceed 100 hours per month. Within the maximum assigned hours provided herein, youth employees shall be considered in payroll status for the entire period during which they are un-

der the supervision of the National Youth Administration.

§ 402.7 *Supervisory employees.* The hours of work for project supervisory employees shall be established by the State Youth Administrator in accordance with the requirements of the project to which the employee is assigned.

MONTHLY EARNINGS AND PAYMENT FOR SERVICES

§ 402.8 *Supervisory employees' earnings.* The State Youth Administrator is authorized and directed to establish per diem or monthly earnings for project supervisory employees in accordance with the wages customarily paid for work of a similar nature in the same locality. Earnings for project supervisory employees established on a per diem or monthly salary basis are subject to the following conditions:

(a) Per diem employees. Project supervisory employees, who are assigned to work for a period of less than 100 hours per payroll month or who are assigned to work for indefinite periods per payroll month, shall be compensated upon a per diem basis of payment from funds authorized for the operation of projects. Project supervisory employees paid on a per diem basis shall be paid for their actual days of service.

(b) Employees on monthly salary basis. Project supervisory employees, who are assigned to work for definite schedules of not less than 100 hours per payroll month shall be compensated for their services upon a monthly salary basis from funds authorized for the operation of projects. For project supervisory employees paid on a monthly salary basis, deductions for voluntary absence from duty shall be made in the amount of one-thirtieth of the monthly salary for each day of voluntary absence. However, no deduction shall be made for any day or days upon which the employee is not required to work. Deductions for voluntary absence from duty for a portion of a day shall be made in an amount equal to one-fourth the deduction, or multiple thereof, made for absence during a full day.

§ 402.9 *Youth employees' earnings.* The schedule of monthly earnings hereinafter prescribed shall be applicable to youth employees, except in the case of:

(a) Exemptions by Administrator. Such projects, portions of projects, or areas as the National Youth Administrator, or his authorized representative, may hereafter exempt;

(b) Making up lost time. Making up time lost, or in the case of an emergency, as provided in 402.5;

(c) Resident projects. Resident projects; and

(d) Prior exemptions; schedule of earnings. Such projects, portions of projects, or areas for which exemptions from the schedule of monthly earnings have heretofore been granted by proper authority for unskilled and intermediate

workers, provided that the exemptions remain applicable to the specific projects, portions of projects, or areas for which they were authorized and that no such exemption shall be continued in effect under this authority on and after November 1, 1939. Exemptions heretofore authorized for skilled and professional and technical workers : : hereby rescinded.

Schedule of Monthly Earnings for Part-Time Work

The schedule of monthly earnings applicable to any county shall be based upon the 1930 population of the largest municipality within the county in accordance with the following schedule:

Wage regions ¹	Population over 25,000	Population under 25,000
	Class B	
Region I	18	14
Region II	16	14
Region III	14	12
	Class A	
Region I	21	17
Region II	18	15
Region III	16	13

¹ Wage Regions include the following states:

Region I: Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin and Wyoming.

Region II: Delaware, District of Columbia, Kansas, Kentucky, Maryland, Missouri, North Carolina, Oklahoma, Virginia, West Virginia.

Region III: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, Tennessee, Texas.

§ 402.10 Adjustments. The several State Youth Administrators are authorized to make adjustments of not to exceed fifty cents (50¢) above or below the schedule of earnings as prescribed in 402.9 to avoid the computation of fractional payments of less than one cent (1¢) or the assignment of hours of work which involve partial hours during any monthly pay period.

§ 402.11 State Administrator's Orders. It shall be the responsibility of each State Youth Administrator to issue State Youth Administrator's Orders which shall constitute a schedule of assigned hours of work and monthly earnings for each class of youth employee in each county in which projects are operated. Where exemptions are authorized, supplemental schedules may be issued under the State Youth Administrator's Orders to cover special determinations for individual projects within a county or for subdivisions within a county.

§ 402.12 Non-resident project employees. After November 1, 1939, employment on projects within each state shall be subject to the following conditions:

(a) Class B wage earners. At least 80 percent of the youth employees within

each state assigned to non-resident projects shall be paid in accordance with the schedule of earnings prescribed in 402.9 for Wage Class B;

(b) Class A wage earners. Not more than 20 percent of the youth employees within each state assigned to non-resident projects shall be paid in accordance with the schedule of earnings prescribed in 402.9 for Wage Class A.

§ 402.13 Resident project employees. The monthly earnings of youth employees assigned to resident projects, except for such projects, or portions of projects, as the National Youth Administrator, or his authorized representative, may hereafter exempt, shall be established by the State Youth Administrator at a uniform amount of not to exceed thirty dollars (\$30) per payroll month for full-time resident projects or twenty dollars (\$20) per payroll month for part-time resident projects, with an appropriate charge for lodging, food, sanitation, water and bathing facilities, and medical and dental care. Deductions shall be made at the end of each payroll month from the earnings of youth employees assigned to resident projects, provided that the net payment to youth employees shall be not less than eight dollars (\$8) per payroll month.

For youth employees assigned to full-time resident projects, deductions for voluntary absence from duty shall be made in the amount of one-thirtieth of the monthly salary for each day of voluntary absence. For youth employees assigned to part-time resident projects, deductions for voluntary absence from duty shall be made on the basis of the ratio which the number of days of absence bears to the total number of days of assignment during the payroll month. Deductions for voluntary absence from duty for a portion of a day shall be made in an amount equal to one-fourth the deduction, or multiple thereof, made for absence during a full day.

§ 402.14 Accident compensation. Project employees if injured in the performance of duty and unable to work as a result thereof shall be entitled to receive payment of compensation under the provisions of the Act of February 15, 1934 (48 Stat. 351) as amended.

§ 402.15 Pledge or assignment of wages. Wages paid by the Federal Government may not be pledged or assigned, and any purported pledge or assignment shall be null and void.

CONDITIONS OF EMPLOYMENT

§ 402.16 Need. The certification of need of youth employees shall be made by public relief agencies approved by the State Youth Administrator, or in lieu thereof, shall be the responsibility of the State Youth Administrator or his authorized representative. For the purpose of certification, a youth employee shall be defined as needy if he is:

(a) With family. A member of a family whose income is insufficient to

provide the basic requirements of all members of the family, including the youth member, regardless of whether the family is receiving or eligible for any form of public assistance; or

(b) Without family. Without family connections and his income is insufficient to provide his basic requirements.

§ 402.17 Age and health. No person under the age of 18 years, or whose age is 25 years or more, except project supervisory employees, and no one whose physical condition is such as to make his employment dangerous to his health or safety, or to the health or safety of others, may be employed on a project. This paragraph shall not be construed to operate against the employment of physically handicapped persons, otherwise employable, where such persons may be safely assigned to work which they can ably perform.

§ 402.18 Safe working conditions. All work projects shall be conducted in accordance with safe working conditions, and every effort shall be made for the prevention of accident.

§ 402.19 Citizenship. No person shall be employed on any project until such person has made an affidavit as to his United States citizenship. No alien shall be given employment or continued in employment on any project, even though such alien may have filed a declaration of intention to become an American citizen.

§ 402.20 Capabilities. No person shall be employed or continued in employment if his work habits are such or his work record shows that he is incapable of performing satisfactorily the work to which he may be assigned.

§ 402.21 Advocates of violence. No person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence shall be eligible for any employment which is compensated after September 30, 1939, from funds appropriated to the National Youth Administration.

§ 402.22 Oath of office. No project supervisory employee may be employed or continued in employment unless such person executes an oath of office before engaging in project employment, or prior to August 1, 1939, in the case of any person employed before that date who has not taken an oath of office.

§ 402.23 Offers of employment. Project employees certified as in need shall be expected to accept a bona fide offer of public or private employment provided that:

(a) *Capabilities.* The project employee is capable of performing such work;

(b) *Prevailing wage.* The wage for such employment is not less than the prevailing wage for such work in the community;

(c) *Union relationship.* Such employment is not in conflict with established union relationships; and

(d) *Working conditions.* Such employment provides reasonable working conditions.

No project employee certified as in need who refuses a bona fide offer of private employment under the conditions provided in this section shall be retained in employment for the period such private employment would be available. However, a worker shall be entitled to immediate resumption of his previous employment status if he is still in need and if he has lost his private employment through no fault of his own. Project employees awaiting assignment who refuse to accept private employment shall be ineligible for employment on any project for the period during which the private employment would be available.

§ 402.24 *Political activities.* All persons paid from funds appropriated to the National Youth Administration shall observe the following rules relating to political activities:

(a) *No favors or rewards.* No person, directly or indirectly, shall promise any employment, position, work, compensation, or other benefit provided or made possible under the program of the National Youth Administration to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election.

(b) *No discrimination.* No person shall deprive, attempt to deprive, or threaten to deprive by any means any person of any employment, position, work, compensation, or other benefit provided or made possible under the program of the National Youth Administration on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

(c) *No solicitation.* No person shall knowingly solicit or knowingly be in any manner concerned in soliciting any assessment, subscription or contribution for the campaign expenses of any individual or political party from any person entitled to or receiving compensation or employment provided for by the program of the National Youth Administration.

(d) *No interference in elections.* No person employed in any administrative or supervisory capacity by any agency of the Federal Government whose compensation or any part thereof is paid from funds appropriated to the National Youth Administration shall use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. While such persons shall retain the right to vote as they please and to express privately their opinions on all political subjects, they shall take no active part directly or indirectly in political management or in political campaigns or in political conventions. Any persons who violate the provisions of this section shall be subject to immediate discharge and thereafter

such persons shall not be eligible for any employment which is compensated from funds appropriated to the National Youth Administration.

(e) *No running for political office.* No person employed in any administrative or supervisory capacity may be a candidate for any state, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general or special election or who is serving as a campaign manager or assistant thereto for any such candidate.

§ 402.25 *Voting.* Every person of legal age who works for the National Youth Administration, whatever his job, has a right to vote in any election for any candidate he chooses. When the hours during which polling places are open or any other conditions prevent employees from freely exercising their voting privileges, schedules hours of work may be adjusted to provide the necessary time for this purpose. Project employees shall not be paid for any allowance of time during which to vote, but they shall be permitted through a rescheduling of hours to work their full quota of hours during the payroll month in which the time off is granted.

ASSIGNMENT, CLASSIFICATION, AND SEPARATION

§ 402.26 *Responsibility.* The State Youth Administrator or his authorized representative shall be responsible for the assignment, classification, transfer and termination of project employees paid from funds appropriated to the National Youth Administration. Project employees shall be registered with employment offices designated by the United States Employment Service.

EFFECTIVE DATE

§ 402.27 *Superseded and rescinded material.* These rules and regulations shall become effective at the beginning of payroll periods on and after August 1, 1939, and shall supersede Administrative Order No. 1, dated July 1, 1939,¹ which shall be rescinded upon the effective date of this Order.

AUBREY WILLIAMS,
Administrator.

JULY 13, 1939.

[F. R. Doc. 39-2830; Filed, August 1, 1939; 10:18 a. m.]

[Administrative Order No. 3]

PART 403—REGULATIONS RELATING TO THE STUDENT AID PROGRAM OF THE NATIONAL YOUTH ADMINISTRATION*

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¹ 4 F.R. 3339 DI.

*Sections 1 to 24 inclusive, issued under the authority contained in the Emergency Relief Appropriation Act of 1939, approved June 30, 1939, Pub. Rec. No. 24, 76th Congress, 1st Session.

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By virtue of and pursuant to the authority vested in the Administrator of the National Youth Administration by the Emergency Relief Appropriation Act of 1939 approved June 30, 1939, the following rules and regulations are prescribed.

DEFINITIONS

§ 403.1 *Project.* The term "project" as used herein shall mean projects which provide for the part-time employment of needy students and which are financed in whole or in part from funds appropriated to the National Youth Administration by the Emergency Relief Appropriation Act of 1939.

§ 403.2 *Student aid program.* The term "Student Aid Program" as used herein refers to the part-time employment of needy students, who are in regular attendance at schools, colleges, and universities, in order to enable them to continue their education. Under the Student Aid Program, there are two divisions, namely, "School Aid" and "College and Graduate Aid."

§ 403.3 *School aid program.* The term "School Aid Program" as used herein refers to the part-time employment of needy students who are in regular attendance at approved institutions not requiring high school graduation or the equivalent for entrance. Such institutions are required to be non-profit making, tax-exempt, and bona fide educational institutions and so certified by the principal state educational officer.

§ 403.4 *College aid and graduate aid program.* The term "College and Graduate Aid Program" as used herein refers to the part-time employment of needy students who are in regular attendance at approved institutions requiring, as a

minimum, high school graduation or the equivalent for entrance. Such institutions are required to be non-profit making, tax-exempt, and bona fide educational institutions and so certified by the principal state educational officer. Aid given to undergraduate students or professional students who have not obtained their bachelor's degree is referred to in this Order as "College Aid." Aid given to students who have obtained their bachelor's degree or the equivalent and are pursuing graduate work is referred to in this Order as "Graduate Aid."

HOURS OF WORK AND MONTHLY EARNINGS

§ 403.5 *Responsibility for determining.* The authorized representative of each institution participating in the Student Aid Program shall be responsible for determining the hours of work and monthly earnings for each student in accordance with the provisions hereinafter prescribed in § 403.6 through § 403.13.

§ 403.6 *Hours and rate of pay.* Hours to be worked by a student shall be limited to that number of hours which in relation to the established monthly earnings most accurately reflects the rate of pay prevailing in the locality for the same type of work.

§ 403.7 *Maximum school aid hours.* The maximum hours of work for students under the School Aid Program shall be three hours per day on school days and seven hours per day on non-school days.

§ 403.8 *Maximum college and graduate aid hours.* The maximum hours of work for students under the College and Graduate Aid Program shall be eight hours per day.

§ 403.9 *School aid earnings.* Monthly earnings for students participating under the School Aid Program shall be established within the maximum of six dollars (\$6) and the minimum of three dollars (\$3) per month.

§ 403.10 *College aid earnings.* Monthly earnings for students participating under the College Aid Program shall be established within the maximum of twenty dollars (\$20) and the minimum of ten dollars (\$10) per month.

§ 403.11 *Graduate aid earnings.* Monthly earnings for students participating under the Graduate Aid Program shall be established within the maximum of thirty dollars (\$30) and the minimum of twenty dollars (\$20) per month.

§ 403.12 *Accident compensation.* Students engaged on projects and paid from project funds, if injured in the performance of duty and unable to work as a result thereof, shall be entitled to receive payment of compensation under the provisions of the Act of February 15, 1934 (48 Stat. 351) as amended.

§ 403.13 *Pledge or assignment of wages.* Wages paid by the Federal Government may not be pledged or assigned, and any purported pledge or assignment shall be null and void.

CONDITIONS OF EMPLOYMENT

§ 403.14 *Age.* Employment on the Student Aid Program is limited to students between the ages of 16 and 24 inclusive. Students shall have reached their 16th birthday before they can be assigned to the Student Aid Program. Students who have reached their 25th birthday are ineligible.

§ 403.15 *Need of assistance.* Each student must be able to qualify on the basis of need for such assistance as he may receive. It shall be determined by the officials of the institution that the student is in need of assistance in order to enter or remain in school, college, or university. Consultation with outside agencies to determine this need is recommended. The institution shall exercise every precaution to make certain that no portion of the appropriation is made available to any student who does not produce satisfactory evidence that he could not enter or remain in school without the assistance provided through employment on the Student Aid Program.

§ 403.16 *Citizenship.* Under the provisions of the Emergency Relief Appropriation Act of 1939, no person shall be employed on any student aid project unless such person has made an affidavit as to his United States citizenship. No alien shall be given employment or continued in employment on any project, even though such alien may have filed a declaration of intention to become an American citizen.

§ 403.17 *Required schedule.* Students participating in the Student Aid Program shall be regular students carrying at least three-fourths of the normal schedule.

§ 403.18 *Character and ability.* Students receiving aid shall be of good character and shall possess such ability that they can give assurance of performing good scholastic work while receiving aid. Aid to students who fail to maintain satisfactory standing in at least three-fourths of their scholastic work shall be discontinued. No person shall be employed or continued in employment if his work habits are such or his work record shows that he is incapable of performing satisfactorily the work to which he may be assigned.

§ 403.19 *Advocates of violence.* No person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence shall be eligible for any employment which is compensated after September 30, 1939, from funds appropriated to the National Youth Administration.

§ 403.20 *Political activities.* All persons paid from funds appropriated to the National Youth Administration are required by law to observe the following rules relating to political activities:

(a) *No favors or rewards.* No person, directly or indirectly, shall promise any employment, position, work, compensa-

tion, or other benefit provided or made possible under the program of the National Youth Administration to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election.

(b) *No discrimination.* No person shall deprive, attempt to deprive, or threaten to deprive by any means, any person of any employment, position, work, compensation, or other benefit provided or made possible under the program of the National Youth Administration on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

(c) *No solicitation.* No person shall knowingly solicit or knowingly be in any manner concerned in soliciting any assessment, subscription or contribution for the campaign expenses of any individual or political party from any person entitled to or receiving compensation or employment provided for by the program of the National Youth Administration.

§ 403.21 *Voting regulations.* Every person of legal age who works for the National Youth Administration, whatever his job, has a right to vote in any election, for any candidate he chooses. When the hours during which polling places are open or any other conditions prevent employees from freely exercising their voting privileges, scheduled hours of work may be adjusted to provide the necessary time for this purpose. Project employees shall not be paid for any allowance of time during which to vote, but they shall be permitted through a rescheduling of hours to work their full quota of hours during the payroll month in which the time off is granted.

Assignment of Work

§ 403.22 *Responsible officials.* Officials of the participating institution shall be responsible for assigning students to suitable work and for supervising work done by students.

§ 403.23 *Working conditions.* Student aid projects shall be conducted in accordance with safe working conditions.

Effective Date

§ 403.24 *Superseded and rescinded material.* These rules and regulations shall become effective at the beginning of payroll periods on and after August 1, 1939, and shall supersede Administrative Order No. 63¹ of the Works Progress Administration and National Youth Administration, dated July 9, 1938, which shall be rescinded on the effective date of this Order.

AUBREY WILLIAMS,
Administrator.

JULY 17, 1939.

[F. R. Doc. 39-2831; Filed, August 1, 1939;
10:18 a. m.]

¹ 3 F. R. 1913 DI.

Notices

WAR DEPARTMENT.

EXAMINATION FOR APPOINTMENT IN THE MEDICAL ADMINISTRATIVE CORPS, REGULAR ARMY

1. An examination of applicants for appointment in the Medical Administrative Corps, Regular Army, under the provisions of A.R. 605-25, September 25, 1936, will be held within the continental limits of the United States from November 13 to November 17, 1939, inclusive.

2. To be eligible to take the examination for appointment, the applicant must be a male citizen of the United States, a graduate of a 4-year course of instruction at an acceptable school or college of pharmacy, legally authorized to confer the baccalaureate degree in pharmacy, and of such age as would permit appointment to be made between the ages of 21 and 32 years.

3. Examination for appointment includes physical examination, a written examination in practice of pharmacy, pharmaceutical chemistry, pharmacognosy, pharmacology and bacteriology, hygiene, and sanitation, and an estimate of the candidate's adaptability for military service.

4. Applications and requests for information concerning this examination should be addressed to The Adjutant General. Applications received after October 28, 1939, will not be considered. (Sec. 24, 41 Stat. 774; 10 U.S.C. 151) [Sec. I, Cir. No. 54, W.D., July 27, 1939]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 39-2829; Filed, August 1, 1939; 9:37 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

IN THE MATTER OF BONNEVILLE PROJECT, COLUMBIA RIVER, OREGON-WASHINGTON

NOTICE OF APPLICATION

JULY 31, 1939.

Notice is hereby given that on July 22, 1939, an application was filed with the Federal Power Commission, pursuant to Section 6 of the Act of Congress to authorize the completion, maintenance, and operation of the Bonneville Project, Public—No. 329—75th Congress, approved August 20, 1937 (50 Stat. 731), by the Acting Administrator of the Bonneville Project, (1) for the confirmation and approval of new schedules of rates and charges for electric energy produced at the Bonneville Project, (2) for the confirmation and approval of certain modifications of the existing filed General Terms and Conditions, and (3) for the withdrawal of certain of the pres-

ently filed and approved schedules designated as Rate Schedules A-1, B-1, C-1, and D-1, which were approved by the Federal Power Commission on June 8, 1938.

The schedules of rates and charges submitted for confirmation and approval are:

Rate Schedule A-2. Wholesale Power Rate Schedule for "At Site" Prime Power, which is designed to displace existing Rate Schedule A-1;

Rate Schedule C-2. Wholesale Power Rate Schedule for Transmission System Prime Power which is designed to displace existing Rate Schedule C-1;

Rate Schedule F-1. Optional Wholesale Power Rate Schedule for Prime Power;

Rate Schedule H-1. Wholesale Energy Rate Schedule for Dump Energy.

[SEAL]

J. B. WILLIAMSON,
Acting Secretary.

[F. R. Doc. 39-2827; Filed, August 1, 1939; 9:37 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

[File No. 21-307]

IN THE MATTER OF PROPOSED REVISION OF TRADE PRACTICE RULES FOR THE PUBLIC SEATING INDUSTRY

NOTICE OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS OR OBJECTIONS

This matter now being before the Federal Trade Commission under its Trade Practice Conference procedure, in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), or other applicable provisions of law administered by the Commission;

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, groups or other parties affected by or having an interest in the proposed revision of the trade practice rules for the Public Seating Industry to present to the Commission, orally or in writing, their views concerning such rules, including such pertinent information, suggestions, or objections, if any, as they desire to submit. For this purpose they may, upon application to the Commission, obtain copies of the proposed rules. Written communications of such matters should be filed with the Commission not later than August 17, 1939. Opportunity for oral hearing and presentation will be afforded at 10 a. m., August 17, 1939, in

Room 332, Federal Trade Commission Building, Constitution Avenue at Sixth Street, Washington, D. C., to any such persons, partnerships, corporations, associations, groups or other parties as may desire to appear and be heard. After giving due consideration to all matters submitted concerning the proposed rules, the Commission will proceed to their final consideration.

By the Commission,

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-2832; Filed, August 1, 1939; 10:24 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July 1939.

[File No. 1-276]

IN THE MATTER OF LEHIGH VALLEY COAL COMPANY FIRST AND REFUNDING MORTGAGE SINKING FUND GOLD BONDS, 5% SERIES OF 1924, DUE FEBRUARY 1, 1944

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the First and Refunding Mortgage Sinking Fund Gold Bonds, 5% Series of 1924, due February 1, 1944, of Lehigh Valley Coal Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Tuesday, August 29, 1939, at the office of the Securities and Exchange Commission, 120 Broadway New York City, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2838; Filed, August 1, 1939; 10:54 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July 1939.

[File No. 1-466]

IN THE MATTER OF THE RIKE-KUMLER COMPANY COMMON STOCK, NO PAR VALUE**ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION**

The Rike-Kumler Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, from listing and registration on the Cincinnati Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 10, 1939.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2834; Filed, August 1, 1939; 10:54 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July 1939.

[File No. 1-1922]

IN THE MATTER OF LIBBY, McNEILL & LIBBY 6% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE**ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION**

The Chicago Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 6% Cumulative Preferred Stock, \$100 Par Value, of Libby, McNeill & Libby; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective

at the close of the trading session on August 10, 1939.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2835; Filed, August 1, 1939; 10:54 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July 1939.

[File No. 1-2403]

IN THE MATTER OF KINGDOM OF HUNGARY STATE LOAN OF 1924, 7½% SINKING FUND GOLD BONDS, DUE FEBRUARY 1, 1944**ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION**

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the State Loan of 1924, 7½% Sinking Fund Gold Bonds, due February 1, 1944, of Kingdom of Hungary; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 10, 1939.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2839; Filed, August 1, 1939; 10:55 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1939.

[File No. 2-3640]

IN THE MATTER OF FINGER CANADIAN LUMBER COMPANY, LTD.**STOP ORDER**

This matter coming on to be heard before the Commission on the registration statement of Finger Canadian Lumber Company, Ltd., a Canadian corporation, after confirmed telegraphic notice to said registrant that it appears that said registration statement includes untrue statements of material facts and

omits to state material facts necessary to make the statements therein not misleading; and upon evidence received upon the allegations made in the notice of hearing duly served by the Commission on the registrant; and

The hearing having been adjourned subject to call to permit the registrant to file further amendments; and

The stop order proceeding having been reopened subsequent to the filing of such proposed amendments; and

The Commission having duly considered the matter, and finding that said registration statement as it became effective includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading in Items 23, 27, 44, 45, the balance sheet, the auditor's certificate and the prospectus, all as more fully set forth in the Commission's Findings of Fact and Opinion this day issued; and

The proposed amendments appearing on their face to be incomplete and inaccurate in material respects; and

The Commission now being fully advised in the premises,

It is ordered, Pursuant to Section 8 (d) of the Securities Act of 1933, that the effectiveness of the registration statement filed by Finger Canadian Lumber Company, Ltd., a Canadian corporation, be and the same hereby is suspended; and

It is further ordered, That the request of the Finger Canadian Lumber Company, Ltd. that the proposed amendments filed by it on September 12, 1938, be declared effective be and the same hereby is denied.

By direction of the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2836; Filed, August 1, 1939; 10:54 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of July 1939.

[File No. 37-34]

IN THE MATTER OF EQUITABLE AUTO COMPANY**ORDER APPROVING A SUBSIDIARY SERVICE COMPANY PURSUANT TO SECTION 13 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935**

Approval, based upon the findings of fact and conclusions of law made in this matter, is granted Declarant to conduct its business as a subsidiary service company subject to the following conditions that:

(1) Declarant shall, in the manner described in these findings, sell to its associate customer companies those motor vehicles used exclusively by one company, at a price which shall be the original cost of said vehicles less accrued depreciation.

(2) Declarant shall, within 60 days after the date of this order, carry out the other proposed transactions set forth in these findings; specifically, it shall secure the surrender of and cancel 2,500 shares of its capital stock now held by the Philadelphia Company and shall obtain an agreement from the Philadelphia Company to assume Declarant's assessed tax liability, in consideration for which Declarant may assign to the Philadelphia Company certain accounts receivable

from Pittsburgh Railways and Pittsburgh Motor Coach Company. Declarant may also pay in cash a partial liquidating dividend.

(3) In the event of a contemplated substantial change in its organization, the type and character of the companies to be serviced, the method of allocating costs to associate companies, or an increase in the scope of the services to be rendered, Declarant shall first obtain the approval of this Commission of such change.

(4) If the application of Declarant's cost-allocation method does not result in a fair and equitable allocation of its costs among the associate serviced companies, the Commission will require, after notice

and opportunity for hearing, prospective adjustments, and, to the extent that it appears feasible and equitable, retroactive adjustments of such cost allocations.

This order is not to be construed as a ruling that Declarant may not be required to effect any changes in its organization and operation, or any other changes which become necessary for it to conform with the Act, present or future rules, regulations or orders.

It is so ordered.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2837; Filed, August 1, 1939;
10:54 a. m.]